IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2330 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KN DAVE,DY MAMLATDAR - Petitioner(s)
Versus
STATE OF GUJARAT THROUGH SECRETARY & 1 - Respondent(s)

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Appearance :
MR DP VORA for Petitioner(s) : 1,
Ms. Archana Raval, AGP GOVERNMENT PLEADER for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH
Date : 20/09/2006

ORAL JUDGMENT

By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for an appropriate writ, order or direction directing the respondent authorities to

consider the case of the petitioner for promotion to the post of Mamlatdar, Class-II. It appears that in view of pendency of some departmental enquiry the petitioner was not promoted. However, it appears from the additional affidavit-in-reply filed on behalf of the respondent dated 14th September 2006 that the departmental enquiry initiated against the petitioner was completed and as the charges levelled against the petitioner were not proved the departmental enquiry was closed and the chargesheet was withdrawn. Thereafter, recommendations of the D.P.C., which were kept in sealed cover were opened and the petitioner was considered fit for promotion and accordingly the petitioner has been promoted by order dated 24.10.1996. It is also reported that the petitioner has already attained the age of superannuation on 31st December 1996 and has already retired. In view of the above, no further order is required to be passed by this

Court. Accordingly, this petition is disposed of. Rule is discharged.

[M.R. Shah, J.]

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